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PATENT & TRADEMARK OFFICE

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Attorney Docket No. 5470-220CTXX

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Johnston et al.
Serial No.: 10/683,781
Filing Date: October 10, 2003
For: *Alphavirus RNA Replicon Systems*

Group Art Unit: 1648
Examiner: M.F.G. Salvoza
Confirmation No.: 2088

Date: June 8, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Applicants are responding to the Restriction Requirement dated May 18, 2005 in connection with the above-referenced application, which restricted claims 1-37 as originally filed into eleven groups.

Applicants respectfully note that claims 1-37 were canceled, and claim 38 added, in the Preliminary Amendment dated October 10, 2003, which was filed concurrently with the present continuation application. A copy of the Preliminary Amendment cancelling claims 1-37 and presenting claim 38 is enclosed for the Examiner's convenience.

Claim 38 is the only claim pending in this application. Accordingly, Applicants respectfully submit that the outstanding Restriction Requirement is moot.

Applicants further submitted a Request for Declaration of Interference pursuant to 37 C.F.R. 1.608(b) on October 8, 2004, and a declaration of interference with U.S. Patent No. 6,015,694 is respectfully requested.

Respectfully submitted,

Karen A. Magri
Registration No. 41,965

Enclosures:
Copy of Preliminary Amendment

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10
"Express Mail" mailing label number: EV675781868US
Date of Deposit: June 8, 2005
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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